

United States Bankruptcy Court  
District of Massachusetts

Page 1 of 6

Voluntary Petition

Name of Debtor (if individual, enter Last, First, Middle):

CityGolf Boston LLC

Name of Joint Debtor (Spouse) (Last, First, Middle):

N/A

All Other Names Used by the Debtor in the last 8 years  
(include married, maiden, and trade names):

N/A

All Other Names Used by the Joint Debtor in the last 8 years  
(include married, maiden, and trade names):

N/A

Last four digits of Soc. Sec. or Individual Taxpayer I.D. (ITIN) Complete EIN (if more than one state all):

04-3403565, 04-3403565

Last four digits of Soc. Sec. or Individual Taxpayer I.D. (ITIN) (if more than one state all):

NA

Street Address of Debtor (No. and Street, City, and State):

167 Milk Street  
Boston, MA

Zip Code 02109

Street Address of Joint Debtor (No. and Street, City, and State):

N/A

County of Residence or of the Principal Place of Business:

Suffolk

County of Residence or of the Principal Place of Business:

N/A

Mailing Address of Debtor (if different from street address):

N/A

Zip Code

Mailing Address of Joint Debtor (if different from street address):

N/A

Zip Code

Location of Principal Assets of Business Debtor (if different from street address above):

N/A

Type of Debtor  
(Form of Organization)  
(Check one box.)

- ☐ Individual (includes Joint Debtors)  
See Exhibit D on Page 2 of this form.  
Corporation (includes LLC and LLP)
- ☒ Partnership
- ☐ Other (If debtor is not one of the above entities, check this box and state type of entity below.)

Nature of Business  
(Check one box.)

- ☐ Health Care Business
- ☐ Single Asset Real Estate as defined in 11 U.S.C. § 101(51B)
- ☐ Railroad
- ☐ Stockbroker
- ☐ Commodity Broker
- ☐ Clearing Bank
- ☒ Other Golf Instruction & Sales

Chapter of Bankruptcy Code Under Which  
the Petition is Filed  
(Check one box.)

- ☐ Chapter 7
- ☐ Chapter 9
- ☒ Chapter 11
- ☐ Chapter 12
- ☐ Chapter 13
- ☐ Chapter 15 Petition for Recognition of a Foreign Main Proceeding
- ☐ Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding

## Chapter 15 Debtors

Country of debtor's center of main interests.

Each country in which a foreign proceeding by, regarding, or against debtor is pending:

Tax-Exempt Entity  
(Check box, if applicable.)

- ☐ Debtor is a tax-exempt organization under rule 26 of the United States Code (the Internal Revenue Code).

Nature of Debts  
(Check one box.)

- ☐ Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose."
- ☒ Debts are primarily business debts

Filing Fee  
(Check one box.)

- ☒ Full Filing Fee Attached.
- ☐ Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A.
- ☐ Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.

## Chapter 11 Debtors

## Check one box:

- ☒ Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D).
- ☐ Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D).

## Check if:

- ☒ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,490,925 (amount subject to adjustment on 04/01/2016 and every three years thereafter).

## Check all applicable boxes:

- ☐ A plan is being filed with this petition.
- ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).

## Statistical/Administrative Information

- ☐ Debtor estimates that funds will be available for distribution to unsecured creditors.
- ☒ Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.

THIS SPACE  
FOR COURT  
USE ONLY

## Estimated Number of Creditors

- ☒ 1-49
- ☐ 50-99
- ☐ 100-199
- ☐ 200-299
- ☐ 1,000-5,000
- ☐ 5,001-10,000
- ☐ 10,001-25,000
- ☐ 25,001-50,000
- ☐ 50,001-100,000
- ☐ Over 100,000

## Estimated Assets

- ☒ \$0 to \$50,000
- ☐ \$50,001 to \$100,000
- ☐ \$100,001 to \$500,000
- ☐ \$500,001 to \$1 million
- ☐ \$1,000,001 to \$10 million
- ☐ \$10,000,001 to \$50 million
- ☐ \$50,000,001 to \$100 million
- ☐ \$100,000,001 to \$500 million
- ☐ \$500,000,001 to \$1 billion
- ☐ More than \$1 billion

## Estimated Liabilities

- ☒ \$0 to \$50,000
- ☐ \$50,001 to \$100,000
- ☐ \$100,001 to \$500,000
- ☐ \$500,001 to \$1 million
- ☐ \$1,000,001 to \$10 million
- ☐ \$10,000,001 to \$50 million
- ☐ \$50,000,001 to \$100 million
- ☐ \$100,000,001 to \$500 million
- ☐ \$500,000,001 to \$1 billion
- ☐ More than \$1 billion

**Voluntary Petition**

(This page must be completed and filed in the court.)

Case 15-12578

Doc 1

Filed 06/30/15

Name of Debtor(s):

City Golf Boston LLC

Entered 06/30/15 11:33:57 Desc Main Document Page 2 of 6

All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet.)

Location Where Filed:

N/A

Case Number:

Date Filed:

Location Where Filed:

Case Number:

Date Filed:

Pending Bankruptcy Case Filed by any Spouse, or Affiliate of this Debtor (If more than one, attach additional sheet.)

Name of Debtor:

N/A

Case Number:

Date Filed:

District:

Relationship:

Judge:

**Exhibit A**

(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)

☐ Exhibit A is attached and made a part of this petition**Exhibit B**

(To be completed if debtor is an individual whose debts are primarily consumer debts.)

I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I have delivered to the debtor the notice required by 11 U.S.C. § 342(b).

Signature of Attorney for Debtors

(Date)

**Exhibit C**

Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?

☐ Yes, and Exhibit C is attached and made a part of this petition☒ No**Exhibit D**

(To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.)

☐ Exhibit D, completed and signed by the debtor, is attached and made a part of this petition

If this is a joint petition:

☐ Exhibit D, also completed and signed by the joint debtor, is attached and made a part of this petition**Information Regarding the Debtor - Venue**

(Check any applicable box.)

☒ Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.☐ There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.☐ Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding (in a federal or state court) in this District, or the interests of the parties will be served in regard to the relief sought in this District.**Certification by a Debtor Who Resides as a Tenant of Residential Property**

(Check all applicable boxes.)

☐ Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)

Name of landlord that obtained judgment:

Address of landlord:

☐ Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and☐ Debtor has included with this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.☐ Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(f))

## Signatures

## Signature(s) of Debtor(s) (Individual/Joint)

I declare under penalty of perjury that the information provided in this petition is true and correct.

(If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7, I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.

(If no attorney represents me and no bankruptcy petition preparer signs the petition) I have obtained and read the notice required by 11 U.S.C. § 342(h).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

/s/

Signature of Debtor

/s/

Signature of Joint Debtor

Telephone Number (if not represented by attorney)

Date

## Signature of Attorney\*

/s/ David Baker

Signature of Attorney for Debtor(s)

David Baker (634889)

Printed Name of Attorney for Debtor(s)

06/29/2015

Date

Firm Name: Law Office

Address: 236 Huntington Avenue Room 306

Boston, MA 02115

Telephone: 617-367-4260

E-mail: david@hostonbankruptcy.org

\*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

## Signature of Debtor (Corporation/Partnership)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests the relief in accordance with the chapter of title 11, United States Code, specified in this petition.

/s/ Gary Parker

Signature of Authorized Individual

Gary Parker

Printed Name of Authorized Individual

Manager

Title of Authorized Individual

06/29/2015

Date

## Signature of a Foreign Representative

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

☐ I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. § 1515 are attached.

☐ Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

/s/

Signature of Foreign Representative

Printed Name of Foreign Representative

Date

## Signature of Non-Attorney Bankruptcy Petition Preparer

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(h), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required by that section.

*This section of the signature page is not relevant to this Petition because the BkAssist® software used to produce this petition is not licensed for use by paid bankruptcy petition preparers.*

*If the bankruptcy petition preparer is not an individual, state the name, title (if any), address, and social-security number of the officer, principal, responsible person, or partner who signs this document.*

Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional signed sheets conforming to the appropriate Official Form for each person.

*A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 18 U.S.C. § 156.*

**CITY GOLF/BOSTON, LLC**

38 Bromfield Street  
Boston, MA 02108

**CORPORATE RESOLUTION TO EMPLOY COUNSEL AND  
FILE CHAPTER 11 BANKRUPTCY CASE**

WHEREAS, the Corporation is experiencing financial difficulty in paying its debts as they mature, and

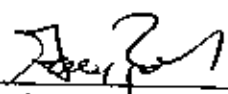
WHEREAS, at a meeting of the Board of Directors held on June 26, 2015 it was determined that it would be in the best interests of creditors for the Corporation to file a voluntary petition under Chapter 11 of the Bankruptcy Code for the purpose of reorganizing its financial affairs, it is:

RESOLVED, that the Corporation file as soon as practicable a bankruptcy in accordance with Chapter 11 of the Bankruptcy Code; and it is further

RESOLVED, that Gary Parker, manager of the corporation, is authorized to retain attorney David G. Baker for that purpose, to pay his retainer, and to execute any and all documents necessary to commence and proceed with the bankruptcy case.

The undersigned hereby certifies that he/she is the duly elected and qualified Manager and the custodian of the books and records and seal of City Golf/Boston, a corporation duly formed pursuant to the laws of the Commonwealth of Massachusetts, and that the foregoing is a true record of a resolution duly adopted at a meeting of the and that said meeting was held in accordance with state law and the Bylaws of the above-named Corporation on the date set forth above, and that said resolution is now in full force and effect without modification or rescission.

IN WITNESS WHEREOF, I have executed my name as Manager and have hereunto affixed the corporate seal of the above-named Corporation this 29, of June, 2015.

  
\_\_\_\_\_  
Gary Parker  
Manager

**United States Bankruptcy Court  
District of Massachusetts**

In re: **CityGolf Boston LLC**

Case No.

Chapter 11

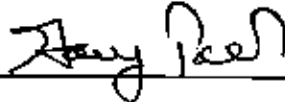
**STATEMENT OF CORPORATE OWNERSHIP**

Pursuant to Fed. R. Bankr. P. 1007(a)(1), the Debtor declares as follows:

- ☐ The debtor is a corporation that is a governmental unit and is therefore not required to provide a statement of ownership.
- ☒ No corporation, other than a governmental unit, directly or indirectly owns 10% or more of any class of the debtor's equity interests:
- ☐ The following is a list of every corporation, other than a governmental unit, that directly or indirectly owns 10% or more of any class of the debtor's equity interests:

I, the Manager of the above named Debtor, declare under penalty of perjury that I have read the foregoing Statement of Corporate Ownership and that it is true and correct to the best of my information and belief.

/s/ Gary Parker  
Manager



06/29/2015  
Date

**United States Bankruptcy Court**  
**District of Massachusetts**

In re: CityGolf Boston LLC

Case No.  
Chapter: 11**DECLARATION RE: ELECTRONIC FILING****PART I: DECLARATION OF NON-INDIVIDUAL DEBTOR**

I, the undersigned person, signing in a representative capacity as indicated, hereby declare under penalty of perjury that all of the information contained in the documents now or hereafter filed electronically in this case (singly or jointly the "Document") is true and correct to the best of my information and belief. I understand that this DECLARATION is to be filed with the Clerk of Court electronically concurrently with the electronic filing of the Petition. I understand that failure to file this DECLARATION may cause the Document to be struck and any request contained or relying thereon to be denied, without further notice.

I further understand that pursuant to the Massachusetts Electronic Filing Local Rule (MEFR)-7(b) all paper documents containing original signatures executed under the penalties of perjury and filed electronically with the Court are the property of the bankruptcy estate and shall be maintained by the authorized CM/ECF Registered User for a period of five (5) years after the closing of this case.



Gary Parker  
Manager of CityGolf Boston LLC

06/29/2015

Date

**PART II: DECLARATION OF ATTORNEY (IF AFFLANT IS REPRESENTED BY COUNSEL)**

I hereby certify that the affiant(s) signed this form before I submitted the Document, that I gave a copy of the Document and this DECLARATION to the Affiant, and that I have followed all other electronic filing requirements currently established by local rule and standing order. This DECLARATION is based on all information of which I have knowledge, and my signature below constitutes my certification of the foregoing under Fed. R. Bankr. P. 9011. I have reviewed and will comply with the provisions of MEFR 7.



David Baker

06/29/2015

Date